

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED 27 A 9 47

THOMAS D. GILLIS,

Plaintiff,

VS.

SPX CORPORATION INDIVIDUAL
ACCOUNT RETIREMENT PLAN,

Defendant.

C.A. NO. 03-CV-12389 GAO

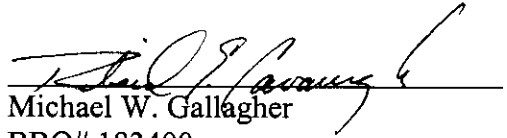
**DEFENDANT SPX CORPORATION INDIVIDUAL ACCOUNT
RETIREMENT PLAN'S LOCAL RULE 16.1(D)(3) CERTIFICATION**

Pursuant to Rule 16.1(D)(3) of the Local Rules of the United States District Court for District of Massachusetts, the defendant, SPX Corporation Individual Account Retirement Plan ("SPX Plan"), through its counsel, Richard E. Cavanaugh, Gallagher & Cavanaugh, LLP, hereby certifies as follows:

Defendant SPX Plan and its counsel, by Andrew A. Jacobson and Ross B. Bricker of Jenner & Block LLP, have conferred:

- a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation;
- b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,



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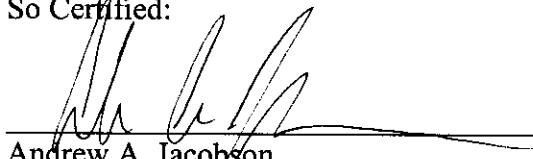
Attorneys for the Defendant,

SPX Corporation Individual Account

Retirement Plan

Date: February 27, 2004

So Certified:



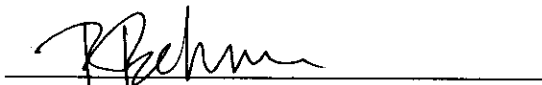
Andrew A. Jacobson

Jenner & Block LLP

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Chicago, Illinois 60611

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SPX Corporation Individual

Account Retirement Plan,

by an Authorized Representative